

## **REMARKS**

In the Office Action mailed June 23, 2004, applicants note with appreciation that no art based rejections have been made. In that same Office Action, Claims 11-23 are rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-14 of US Pat. No. 6,696,383 issued to Le-Khac, et al. Claims 11-23 are rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-23 of US Pat. No. 6,323,375 issued to Hofmann, et al.

### **Rejections under judicially created doctrine of obviousness-type double patenting**

Claims 11-23 stand rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-14 of US Pat. No. 6,696,383 issued to Le-Khac, et al.

Applicants respectfully disagree with the Examiner regarding Le-Khac et al. However, in the interest of expediting prosecution of the instant application and in keeping with the spirit of the PTO's Patent Business Goals (PBG) 65 Fed. Reg. 54603 (September 8, 2000), applicants submit herewith a terminal disclaimer disclaiming that portion of the term of the instant application that would exceed that of US Pat. No. 6,696,383. Applicants respectfully request the Examiner reconsider and reverse his rejection of Claims 11-23 under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-14 of US Pat. No. 6,696,383 issued to Le-Khac, et al.

### **Rejections under judicially created doctrine of obviousness-type double patenting**

Claims 11-23 stand rejected under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-23 of US Pat. No. 6,323,375 issued to Hofmann, et al.

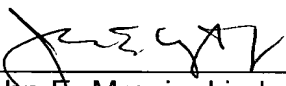
Applicants respectfully disagree with the Examiner's contention regarding Hofmann, et al. However, in the interest of expediting prosecution of the instant application and in keeping with the spirit of the PTO's Patent Business Goals (PBG) 65 Fed. Reg. 54603 (September 8, 2000), applicants submit herewith a terminal disclaimer disclaiming that portion of the term of the instant application that would

exceed that of US Pat. No. 6,323,375. Applicants respectfully request the Examiner reconsider and reverse his rejection of Claims 11-23 under the judicially created doctrine of obviousness type double patenting as being unpatentable over Claims 1-23 of US Pat. No. 6,323,375 issued to Hofmann, et al.

Conclusion

Applicants have made no claim amendments and submit that the instant application is in condition for allowance. Accordingly, reconsideration and a Notice of Allowance are respectfully requested for Claims 11-23. If the Examiner is of the opinion that the instant application is in condition for other than allowance, he is invited to contact the applicants' Attorney at the telephone number listed below, so that additional changes to the claims may be discussed.

Respectfully submitted,

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